

39 Richards Avenue
Portsmouth, NH
July 1, 2025

Portsmouth Historic District Commission
City Hall
Portsmouth, NH

RE: Historic District Boundaries

Historic District Commissioners:

I noticed an agenda item for your July 2 meeting in which the HDC is scheduled to discuss a proposal to remove the properties at 31 & 39 Richards Avenue from the Historic District. The former dates to 1807. The latter dates to 1813 and has been my home since 1985. I am writing in opposition to the proposed change.

50 Years of HDC Jurisdiction

When I purchased the house at 39 Richards Avenue, it was with the understanding that the HDC would strive to protect the neighborhood's historic character and our property values. To date, no one at City Hall has offered a compelling rationale to explain why our neighborhood has suddenly been deemed unworthy of the protection afforded by the Historic District.

The Master Plan

NH RSA 674:46-a IV requires changes to zoning districts to be consistent with the municipal master plan. Our last two master plans both recommended an expansion of the Historic District. These plans also recommend that properties bisected by an Historic District boundary should be included (in their entirety) within the district. The master plans make no mention of removing properties from the Historic District, nor do they even hint at such a move. For those reasons, your proposal is inconsistent with Portsmouth's Master Plan.

Proposed Expansion of the Historic District

In 2013, Karen Bouffard and I polled our neighbors on a proposal to expand the historic district to encompass all Richards Avenue properties from Middle to Parrott, and all Austin Street properties from Middle to Summer. The HDC voted in support of our proposed expansion.

We heard an objection from only one neighborhood property owner. The Planning Board Chair then cited that sole objection as his basis for tabling the matter. Six months later, the dissenting property owner sold his house and moved out of the neighborhood.

Childe Hassam

The streetscape at 31-39 Richards Avenue warrants HDC protection due to its unique history with the notable American artist Childe Hassam (1859-1935). His 1916 painting entitled “Street in Portsmouth” is reproduced below.



The painting was acquired by New York’s Metropolitan Museum of Art (MET) in 1917 and subsequently traveled throughout the United States on loan to various museums. The painting remains popular among the American public, as evidenced by the number of reproductions the MET has offered for sale: 1) note cards in 1988, 1992 & 1997, 2) an engagement calendar in 1991, 3) a desktop calendar in 1999, and 4) a wall calendar in 2003.

Should you type “Street in Portsmouth” and “Hassam” into a search engine, you will be led to production shops in China and Vietnam that will gladly sell you a “museum quality” rendition, sized to your specifications.

A perusal of academic sites on the internet also reveals the extent to which this painting is known around the world. Were you to inquire of an art historian in Prague or Singapore or São Paulo as to the most significant streetscape in Portsmouth, NH, chances are they would be familiar with just one.

Criteria for Inclusion in the Historic District

When determining appropriate boundaries for the Historic District, aligning the district boundaries with property lines certainly has some practical advantages. However, the HDC should not lose sight of far more substantive criteria for inclusion in the district, namely the historic significance of the property, and whether it be of local or of national interest. The Hassam streetscape exemplifies the latter.

The Margeson

If you are intent on removing parcels from the Historic District, an obvious candidate is the nearby Margeson Apartments that fronts on both Richards and Middle. Yet your proposal seeks to expand HDC jurisdiction at the Margeson while simultaneously abandoning one of the oldest parts of our 220-year old neighborhood. That makes little sense.

A Problematic Fence

On September 2, 2009, a stockade fence was erected at 31 Richards Avenue without the benefit of an HDC review. Shortly thereafter, the City received a proposal to remove 31 Richards from the Historic District. The City Council rejected the proposed re-zoning. The vote was unanimous.

The fence posed a hazard to young children on the Richards Avenue sidewalk because it impeded the line of sight of motorists exiting the 5-unit apartment building at 31 Richards Avenue. For that reason, the Board of Adjustment subsequently ordered the owners to truncate the fence to a maximum height of 34". It is important to note that the BOA was only able to do so **because the property is in the Historic District**.

Section 10.515 of the Zoning Ordinance restricts fence height to four feet, yet this limitation offers little protection for children who are less than four feet in height. On a daily basis, many young children race up and down along the adjacent sidewalk.

Summary

I prefer that the Historic District boundary in our neighborhood be left intact for the reasons that follow:

- The streetscape at 31-39 Richards Avenue is familiar to art historians who are situated well beyond the bounds of parochial Portsmouth. For that reason, it warrants protection by the HDC.
- Your proposal is not consistent with the Master Plan.
- Our 2013 proposal for Historic District expansion revealed neighborhood support for expanding, not reducing, the district.
- Our municipal government's top priority should be the protection of children. Your proposal is at odds with this critically important municipal function.

Thank you for your consideration.

Yours truly,

A handwritten signature in black ink, appearing to read "Tom Morgan", written in a cursive style.

Tom Morgan